



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE FOREST SERVICE
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB
COMMISSIONER

PERMIT

ROAD CONSTRUCTION PERMIT RP 15001

The staff of the Maine Forest Service, after reviewing the application and supporting documents submitted by SAPPI Fine Paper for the landowner: Brookfield White Pine Hydro, LLC for Road Construction Permit RP 15001, finds the following facts:

1. Applicant: SAPPI Fine Paper, North America
Attn: Joseph Stevenson
165 North Avenue, Suite #1
Skowhegan, Maine 04976
2. Date of Completed Application: July 13, 2015
3. Location of Proposal: Dead River Township, T3R3 BKP WKR, Somerset County
Unnamed Island
4. Zoning: (P-GP) Great Pond Protection Subdistrict
(P-AL) Accessible Lake Protection Subdistrict
(P-WL1) Wetland Protection Subdistrict
5. Waterbody: Flagstaff Lake
6. Approximate Time Period of Operation: August 01, 2015 to November 01, 2016

Proposal:

7. The applicant proposes to reconstruct a 22-foot wide at the base logging road with a 12-foot wide gravel surface to access a timber harvest area on an unnamed island in Flagstaff Lake. The project will consist of 600 feet of road reconstruction in the P-AL / P-GP / P-WL1 Protection Subdistricts. (See Exhibit 1)
8. The proposed road project specifications are attached to application RP 15001.

DOUGLAS P. DENICO
DIRECTOR

18 ELKINS LANE, HARLOW BUILDING
AUGUSTA, ME 04330
www.maine.gov/acf

PHONE: 207-287-2791
OR: 800-367-0223
FAX: 207-287-8422

Review Comments:

9. State Soil Scientist: If the need for building the road up is due to subsidence of the existing road, the proposed technique may suffer the same fate over time. The original soil is probably organic with no bearing strength. The existing road base material easily sinks into it when saturated and trucks drive over it. To effect a more permanent fix, it would be wise to excavate down to the original soil and place a filter fabric on top and then rock followed by another layer of filter fabric. This I realize is a more expensive technique but would last. The applicant should consider placing a layer of road fabric on the old road surface prior to placing new fill to prevent the new material from sinking into the old road when the old road is saturated.
10. MDIFW Fisheries, Region E: As long as construction is completed when Flagstaff Lake elevations are below that of the lowest elevation of planned work on the causeway and adequate erosion and sedimentation controls are installed and maintained during construction, the project will not negatively impact fisheries in the lake.
11. MDIFW Regional Biologist, Region E: Flagstaff Lake has nesting bald eagles and there are two nests near this proposed project. The nest survey data is dated and nest locations can change or new ones added. However if the project timeline remains August 1 to November 1, then there would be no impact to any new and potentially unknown nests on the project site, as long as any nest tree was not impacted. Any eaglets hatched in 2015 would already be off the nest so there are no timing concerns as proposed. Should the project be delayed until spring/early summer 2016, we would want a consultation with the applicant to be sure there are no new nests nearby.

Findings

12. The original road was constructed in the 1960s with a permit from the U.S. Army Corps of Engineers. Since that time the road bed has eroded down as a result of the fluctuation of the lake water levels, ice and wind action and poor or lack of proper maintenance.
13. The road reconstruction project would be conducted completely on top of the existing road bed with no disturbance to the existing road bed, lake bed or wetlands.
14. The project will only be conducted at times when the site is completely de-watered or when lake levels are very low.
15. During construction the applicant will utilize hay bales and silt fence to act as sedimentation controls as needed
16. The road will be reconstructed using a sandwich type design which will permit the natural movement of water from one side to the opposite side without creating a dam effect.

17. The road reconstruction project will be conducted in conformance with the standards for Chapter 27, Section 5, Land Management Roads and Water Crossings of the Maine Forest Service Rules for Timber Harvesting and Timber Harvesting Related Activities within Unorganized and Deorganized Areas of the State.
18. The above findings are based on the representations contained in the Road Project Permit Application RP 15001 and supporting documents which are attached.

Based upon the above proposal, the MFS concludes that if carried out in compliance with the conditions below, the proposal will meet the Criteria for Approval, 12 M.R.S. § 685-A(1) of the Commission's Statutes, and Maine Forest Service Rules, Chapter 27.

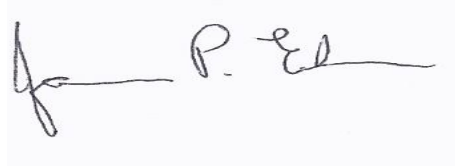
Therefore, the MFS staff approves the application of SAPPI Fine Paper, North America with the following conditions:

1. All road construction activities will be done according to the standards in Chapter 27 Standards for Timber Harvesting and Timber Harvesting Related Activities within Unorganized and Deorganized Areas of the State Section 5 (F) (3,4,5,6,7,8,9,10) as applicable.
2. All road construction activities will utilize Best Management Practices to minimize soil movement and erosion and prevent sedimentation of water bodies.
3. Road construction authorized in this permit can commence on the effective date of this permit and should be completed within the time outlined in Section 6 above. If such activities are not started and completed within this time period, this permit lapses and no activities may then occur unless and until a new permit or extension to the existing permit has been granted by the MFS.
4. All road construction operations shall be stopped where the continuation of such operations will cause or contribute to the occurrence of erosion or the sedimentation of surface waters, whether such occurrence is precipitated by exceptionally wet weather, the failure of water control measures, or other factors. Adequate steps must be taken immediately to stop any erosion or sedimentation of surface waters and to correct the situation that led to such occurrences.
5. The Standards for Timber Harvesting and Timber Harvesting Related Activities within Unorganized and Deorganized Areas of the State, Chapter 27, MFS Rules is attached.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Maine Forest Service review the decision.

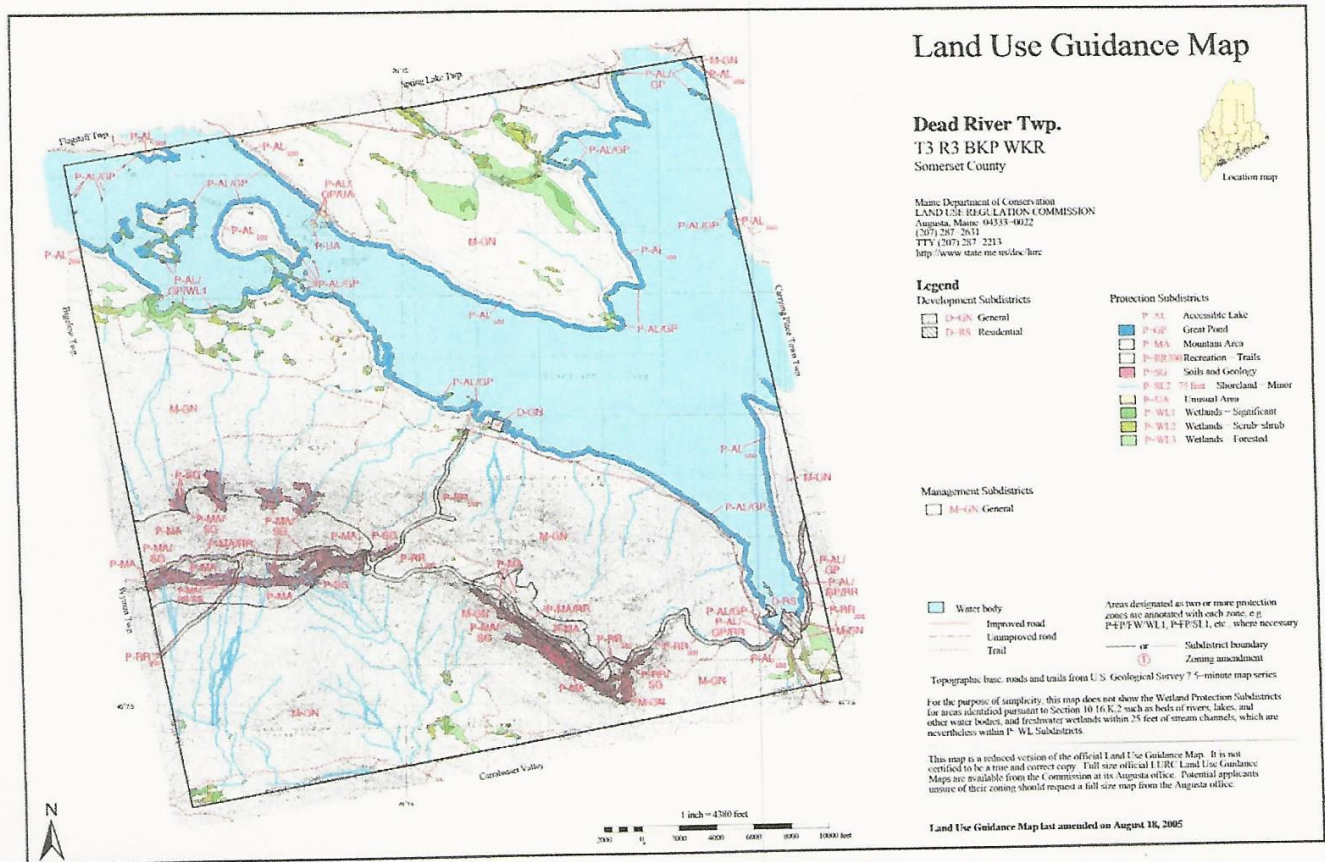
If no person requests that the Maine Forest Service review the decision of staff within 30 days of the date of this staff decision, this permit becomes final agency action subject to review of the Maine Administrative Procedure Act. Pursuant to 5 M.R.S. §§ 11001 *et seq.*, a person aggrieved by an MFS permit decision may appeal the MFS's final action to Superior Court. As part of such an appeal, a person aggrieved may seek judicial review of the components of MFS's final action and permitting decision.

DONE AND DATED AT OLD TOWN, MAINE, THIS 7th DAY OF AUGUST, 2015.

A handwritten signature in black ink, appearing to read "J. P. Ecker", is written on a light blue background.

James P. Ecker
Regional Enforcement Coordinator
Maine Forest Service
Box 415
Old Town, Maine 04468
LPF 0612

EXHIBIT 1



For office use:

| | | | | |
|--------------|----|------------|----|--------------|
| Tracking No. | RP | Permit No. | \$ | Fee Received |
|--------------|----|------------|----|--------------|

Road Permit Application

- 1. APPLICANT AND LANDOWNER INFORMATION:** Print the names and contact information of all persons or companies with right, title or interest in the property associated with this application OR the persons or companies with prior legal authority to represent the landowners in land use matters. Persons with "right, title or interest" are those listed on any deed, lease or sales contract for the property. If a designated agent without prior legal authority will be representing the applicant, see Question 14.

| | | |
|--|--|--|
| Applicant Name(s)* <i>SAPPI NORTH AMERICA</i> | Daytime Phone <i>207-349-8400</i> | FAX (if applicable) <i>207-858-4280</i> |
| Name of Representative (if applicable) <i>JOSEPH F. STEVENSON</i> | Email (if applicable) <i>JOSEPH.F.STEVENSON@SAPPI.COM</i> | |
| Address <i>165 NORTH AVE, SUITE #1</i> | Town <i>SKOWHEGAN</i> | State Zip Code <i>ME 04974</i> |

*If the applicant(s) listed above is NOT the landowner, please complete the landowner information below and then explain on what legal authority you are able to apply for permits on the landowner's behalf: *GRANT OF LICENSE*

Submit as part of **Exhibit B**, authority from the landowner to represent them in all land use matters.

| | | |
|---|--------------------------------------|-----------------------------------|
| Landowner Name(s) <i>BRAVE FORD WHITE PINE HYDRO LLC</i> | Daytime Phone <i>207-629-1800</i> | FAX or Email (if applicable) |
| Address <i>75 STATE STREET, SUITE # 2701</i> | Town <i>BOSTON</i> | State Zip Code <i>MA 02109</i> |

2. PROPERTY LOCATION AND PROPERTY DETAILS

| | |
|---|---|
| Township, Town or Plantation(s) <i>DEAD RIVER TWP. (T3 R3 BKP WGR)</i> | County <i>SOMERSET</i> |
| Tax Information (check tax bill) | Type of Ownership |
| Map: <i>50004</i> Plan: <i>P01</i> Lot: <i>L14</i> | <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Easement |
| Map: Plan: Lot: | <input type="checkbox"/> Lease <input type="checkbox"/> Right-of-way (ROW) |
| Map: Plan: Lot: | <input type="checkbox"/> Other |
| All Zoning within 500 feet of the Project Site (check LUPC map) <i>P-AL, P-GP, M-GN, P-WL1</i> | Zoning at Project Site <i>P-AL, P-GP, P-WL-1</i> |
| Nearest Roadway <i>EAST FLAGSTAFF ROAD</i> | Nearest Waterbody <i>FLAGSTAFF LAKE</i> |

3. ACCESS TO THE PROJECT SITE

- a. Is existing access to the project site limited in any way (i.e. seasonal road closures or temporary access only)..... ☐ YES ☒ NO
If YES, attach any legal restrictions as part of **Exhibit B** and explain the limitations below:

- b. Are you constructing a road or trail entrance or changing a current entrance in a way that will increase traffic volume, or create a safety or drainage concern regarding a State or State-Aid Highway?..... ☐ YES ☒ NO
If YES, you must submit **Exhibit J: Entrance Permit**. Note: If your property is located along a County or Town/Plantation Road, you should check with that office before submitting this application to see what is required.

4. PROJECT DESCRIPTION

Explain, in detail, the activity which you are proposing, the purpose of the project, and why the project is needed. Example: Construct 2 miles of 14 ft. wide logging road with gravel travel surface to access timber harvest area within a P-RR subdistrict. (Attach additional 8 1/2" by 11" paper if necessary.)

5. PROPOSAL DETAILS

a. Project Type - See Instructions page i for definitions (check all that apply)

☒ Land Management Road Construction

☐ Recreational Trail

☐ Change of Use (Explain):

☐ Other (Explain):

Type of Use: ☐ Public ☒ Private ☐ Otherwise Restricted (Explain)

Road Name (if applicable):

Date of Original Construction (if applicable) 1960's

| | | | | | | |
|---|--|--|---|-----------------------------------|-----------|------------------------|
| Total Length (feet/miles) 5.10 1/2 FT | Travel width (feet) 12 | Right-of-way width (feet) | Average sustained grade (%) 0% | Maximum sustained grade (%) 2% | | |
| Type of wearing surface Gravel - Screened | Depth of wearing surface (inches) 10 INCHES | Type of Base Material SCREENED ROCK | Depth of Base (feet/inches) 2 FT | | | |
| b. Road Setbacks & Slope (for nearest, non-crossings) | | Distance (feet) | Average slope(%) between road and nearest waterbody | c. Other Road Features | Number of | Average width x length |
| Lake or Pond | | NA | | Turnouts | — | |
| River or Stream | | — | | Other Cleared Areas | — | |
| Wetland | | NA | | | | |
| Ocean / Tidal Waters | | — | | | | |

d. General Road Standards: (for all roads)

Will the road be constructed in accordance with the Chapter 27, Section 5? ☒ YES ☐ NO
If NO, identify which standard(s) would not be met, briefly explain why, and explain how the road will be constructed in a manner which produces no undue adverse impact upon the resources and uses in the area.

6. WATER AND WETLAND CROSSINGS

Will the proposed road and/or trail cross any rivers, streams, brooks, wetlands or other waterbodies? ☒ YES ☐ NO

If NO, continue to Question 8; If YES, please answer the following questions.


a. What type of water crossing(s) will you install? ☒ Round Culvert ☐ Box Culvert ☐ Arch Culvert ☐ Bridge
☐ Other (Explain)

b. Will any water crossings include crossings of Atlantic salmon habitat watersheds? ☐ YES ☒ NO
If YES, you should contact the Department of Marine Resources, Bureau of Sea-Run Fisheries and Habitat by phone at (207) 287-9972 or by mail at Department of Marine Resources 172 State House Station, Augusta, ME 04333-0021 to prior to finalizing your plans for the crossing.

Question 6 is continued on the next page...

6. WATER AND WETLAND CROSSINGS (continued from previous page)

- c. Will all water and wetland crossings be constructed in accordance with the standards of Chapter 27 Section 5? ☒ YES ☐ NO
If NO, explain how the crossing will be constructed in a manner which produces no undue adverse impact upon the resources and uses in the area.

 For crossings of major flowing waters, water crossing that does not meet standards of Chapter 27, Section 5 and other water crossings which require a permit in the Subdistrict (i.e. P-RR or P-FP), you should also complete a Bridge Construction Permit Application and submit it with this application. The MFS will review both as one Road Construction Permit Application. You need only submit one application fee.

7. ALTERING LAND AND WETLAND ALTERATION

- a. Will your proposal alter a total of one acre or more of land area, whether upland or wetland. ☐ YES ☒ NO
If YES, you must also complete **Exhibit G: Erosion and Sedimentation Control Plan** **AND LUPC Supplement S-3: Requirements for Wetland Alterations.**
- b. Will your proposal alter any amount of land that is mapped P-WL Subdistrict, or any ground below the normal high water mark of any lake, pond, river, stream, or intertidal area? ☐ YES ☒ NO
If YES, you must also complete **LUPC Supplement S-3: Requirements for Wetland Alterations.** LURC supplement forms are available online at www.maine.gov/dacf, click on the Planning tab for the LUPC page.

8. CONSTRUCTION IN FLOOD PRONE AREAS

Is your proposed activity located within a mapped P-FP (Flood Prone Area Protection) Subdistrict, a mapped FEMA (Federal Emergency Management Agency) flood zone, or an unmapped area prone to flooding?

FEMA Flood Zone ☐ YES ☒ NO
P-FP Subdistrict ☐ YES ☒ NO
Unmapped Area Prone to Flooding ☐ YES ☒ NO

9. SEDIMENTATION AND EROSION CONTROL

- a. What is the anticipated starting date of the project? 8/1/2015 and estimated completion date 11/1/2016

Question 9 is continued on the next page...

9. SEDIMENTATION AND EROSION CONTROL (continued from previous page)

- b. Describe any site preparation that will be required, including access for materials and equipment.

NO SITE PREP REQUIRED. THE NEW ELEVATED ROAD WILL BE CONSTRUCTED ON TOP OF THE EXISTING ROADWAY.

- c. Provide a detailed description of temporary and permanent sedimentation and erosion control measures you propose to protect the project site and the area surrounding your project, both during and after construction. (Attach additional 8 1/2" by 11" paper if necessary.)

SEE ATTACHED

- d. Provide a detailed description of all temporary and permanent provisions for drainage including culverts, water bars, drainage ditches, settling basins, etc., and provisions for the continued maintenance of these structures. (Attach additional 8 1/2" by 11" paper if necessary.)

SEE ATTACHED

- e. How will the roadways be designed to minimize the use of ditching, cuts and fills?

SEE ATTACHED

- f. What site-specific best management practices will be used to ensure that existing and proposed roadways do not create erosion or safety problems? Include a description of any measures proposed to be used if road construction will be conducted during saturated or frozen conditions.

SEE ATTACHED

- g. If the proposed road is anticipated to be closed out or put to bed at a later date, explain when, and how it will be closed out.

N/A

- i. What provisions will be made for continued maintenance of any proposed roadways?

MAINTENANCE WILL BE THE LANDOWNERS RESPONSIBILITY.

10. ADDITIONAL INFORMATION

State any additional facts regarding this application that you feel may further explain your proposal or assist the MFS in its review of your application. (Attach additional 8 1/2" by 11" paper if necessary.)

10. ADDITIONAL INFORMATION (continued from previous page)

11. APPLICANT SIGNATURE (REQUIRED) AND AGENT AUTHORIZATION (OPTIONAL)

If you have a designated agent, print his/her legal name and contact information below. Agents are persons acting on the applicant's behalf (such as realtors, attorneys, or contractors). If you have a designated agent, provide the requested information.

| | | | | | |
|-----------------|-------------------------|---------------|----------|-----------------------|----------------------------|
| Agent Name | JOSEPH F. STEVENSON | Daytime Phone | 399-8400 | FAX (if applicable) | |
| Mailing Address | 165 NORTH AVE, SUITE #1 | | | Email (if applicable) | JOSEPH.STEVENSON@SAPP1.COM |
| Town | SKOWHEGAN | State | ME | Zip Code | 04976 |

I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete with all necessary exhibits. I understand that if the application is incomplete or without any required exhibits that it will result in delays in processing my permit decision. The information in this application is a true and adequate narrative and depiction of what currently exists on and what is proposed at the property. I certify that I will give a copy of this permit and associated conditions to any contractors working on my project. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by MFS. If there is an Agent listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this permit application.

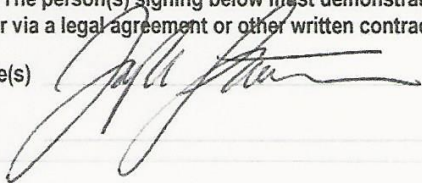
Please check **one** of the boxes below: (see "Accessing the Project Site for Site Evaluation and Inspection" just prior to the application form)

☒ I authorize staff of the Maine Forest Service to access the project site as necessary at any reasonable hour for the purpose of evaluating the site to verify the application materials I have submitted, and for the purpose of inspecting for compliance with statutory and regulatory requirements, and the terms and conditions of my permit.

☐ I request that staff of the Maine Forest Service make reasonable efforts to contact me in advance to obtain my permission to fully access the project site for purposes of any necessary site evaluation and compliance inspection.

Caution: The person(s) signing below must demonstrate that they have a legal right to apply for this permit, either as the landowner, lease holder, or via a legal agreement or other written contract with the landowner (See Exhibit B).

Signature(s)



Date

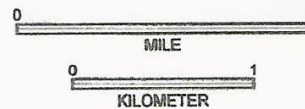
6/15/2015

Date



Legend

- Waypoint
 - 250' Buffer
 - Proposed Road Location
- Map Created By: Joseph Stevenson



Scale: 1:36,000
 Projection: Transverse Mercator
 Datum/Zone: NAD27, Zone 13
 Basemap:
 Topographic (1997)

Date: 10/09/14



mytopo

1 South Broadway
 Billings, MT 59101
 877-587-9004
 www.TerrainNavigator.com

Attachment

(4)Project Description:

The scope of this project entails rebuilding a 500 foot causeway from the mainland to a small island on Flagstaff Lake. This causeway has been in use since the early 1960's and has degraded over the past decades. The total length is 600 feet and will be roughly 22 feet wide at the base with a 12 foot travel surface. The base of the road will be constructed from screened tailings from a pit on the island. This screened rock will allow the water to pass through the road at times of exceptionally high water. There will also be two culverts installed to assist in flow. There will be a layer of geotextile between the rock base and the gravel travel surface (see sketch). The primary function of this road is to allow timber harvesting on the island. There are no trees that require cutting. This road is necessary for the timber harvest in the M-GN area of the property.

(9)Sedimentation and erosion control:

C. The temporary erosion control measures will include hay bales and silt fence where needed. The construction will take place when the causeway is entirely dewatered. The permanent erosion control will include rip-wrap on the sides of the road enveloping the gravel and geotextile. This site is extremely well

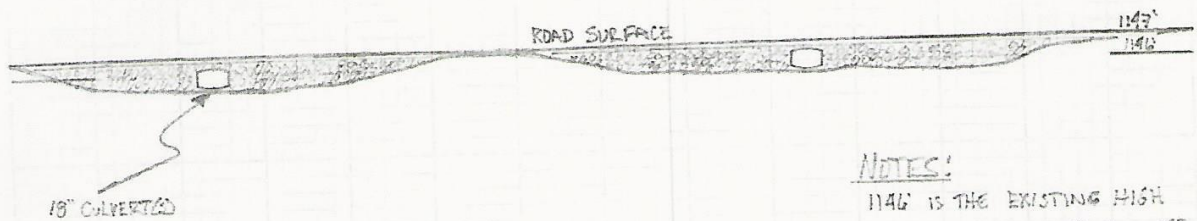
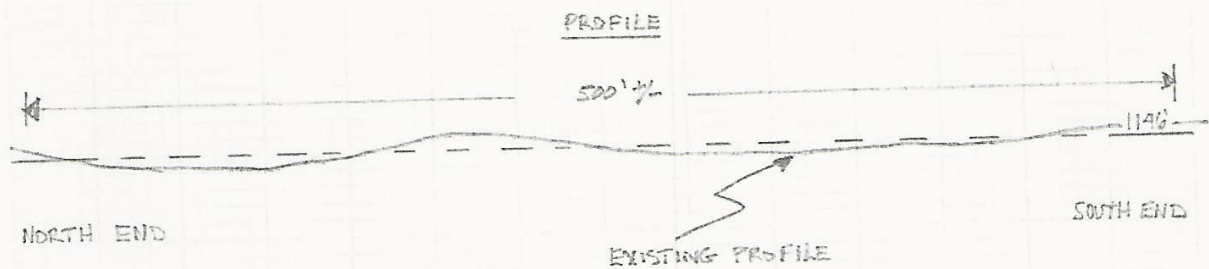
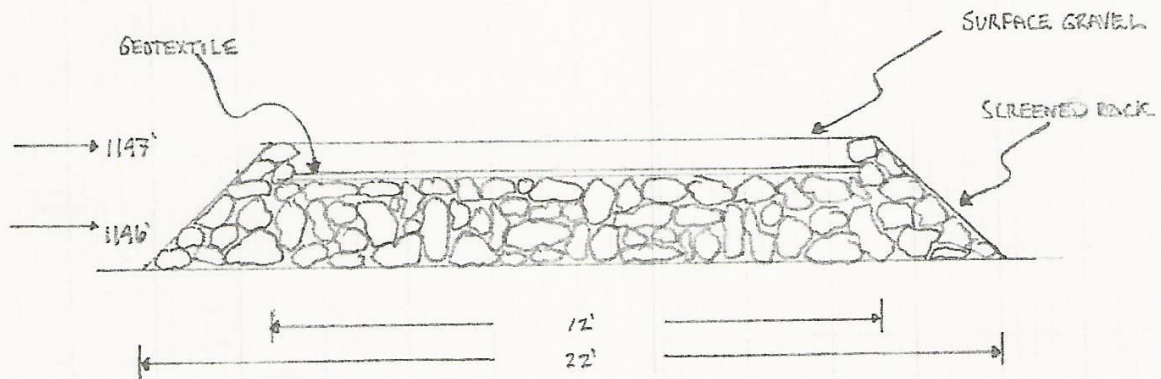
D. The temporary provisions for drainage will not be required based on the site conditions at the time of construction and the slope ratio of nearly zero. The road is designed to allow drainage through the base.

E. The road will be elevated from the current surface as much as 2 feet in places. There are no ditches required.

F. The existing roadway is extremely well drained, and even at times of high water, siltation and/or erosion is negligible. All major construction activities will be conducted at times of de-water, or low lake level.

GUERNSEY CAUSEWAY PROJECT

REVISION 5/22/2015



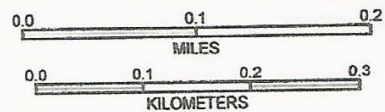
NOTES:

1146' IS THE EXISTING HIGH WATER LINE. THE FINISHED GRADE WILL BE AT 1147'.
 SKETCH PREPARED BY:
 JOSEPH F. STEVENSON
 LPF #3597



Legend

- Waypoint
- 250' Buffer
- Proposed Road Location



Scale: 1:6,000
Projection: Universal Transverse
Mercator
Datum/Zone: NAD83, Zone 19
Basemap:
Aerial Photo (Aug 24, 2013)

Date: 10/09/14

Guernsey Property, Dead River



mytopo

1 South Broadway
Billerica, MA 01821
877-587-9004
www.TerrainNavigator.com